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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,646	03/06/2001	Ranjan Prasad	50325-0508	3341

29989 7590 10/06/2005

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EXAMINER

AGDEPPA, HECTOR A

ART UNIT PAPER NUMBER

2642

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/800,646

Applicant(s)

PRASAD ET AL.

Examiner

Hector A. Agdeppa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's amendment filed on 7/11/05. Claims 1 – 11 and 13 - 22 are now pending in the present application. **This action is made final.**

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1 – 4, 9 – 11, and 13 – 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,031,904 (An et al.) in view of US 6,219,790 (Lloyd et al.) and further in view of US 6,173,438 (Kodosky et al.)

As to claims 1 and 13, An et al. teaches a means and method for modifying a subscriber's feature profile, wherein when a subscriber desires access to/modify his/her

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profile, they are first validated via, for example, their directory number and PIN. Upon positive verification, the subscriber is presented with all the features/services they currently subscribe to. Note that the feature profiles are stored locally either on server 50, machine 52, as well as in profile repository 18. An et al. teaches that a subscriber may modify their profile and the locally stored profile reflects such a change, read is the first service information, and later, this information is sent to the profile repository 18 to commit the change, and the new profile is stored as the subscriber's current profile, read as the claimed second service information. It is inherent that some means for executing the modification is used, even if such means is included in the "committing" of the change in profile repository 18. The modification would have no purpose unless it was actually executed. (Fig. 2, Col. 4, line 17 – Col. 5, line 34, Col. 5, line 49 – Col. 9, line 30)

Moreover, besides teaching accessing a subscriber's feature profile to modify his/her preferences, An et al. also teaches accessing his/her actual service/features. (Col. 1, lines 41 – 48)

What An et al. does not teach is the use of a privilege token, but tokens are very old and well known in the art as merely one means of effecting validation. A token can be any piece/bit of information/data used to compare data such as the aforementioned directory number and PIN with. Even in networking, as a term of art, a token is merely a set of bits that if the network recognizes, allows the data tagged with that token access to transmit/travel over the network. Kodosky et al. teaches a system and method of using such privilege tokens. (Fig. 16 and Col. 20, lines 10 – 39 of Kodosky et al.)

It would have been obvious for one of ordinary skill in the art to use a privilege token method of validation inasmuch as again, it is merely one of a plurality of well known methods of validation. Moreover, it would not affect the operation or teach away from the service provisioning aspect of An et al. inasmuch as the validation process is a separate one from the provisioning process.

An et al. also does not teach determining whether a subscriber is currently logged in and if not requiring the subscriber to log in and the use of separate authentication and authorization servers. However, such is merely a user-convenience feature and would have been obvious for one of ordinary skill in the art to implement at the time the invention was made. Such a feature merely depends on how a subscriber uses/accesses his/her service(s). For example, on ANY webpage requiring authorization to access, if a person tries to view that webpage and is not authorized or registered or logged on, a pop-up window appears or another login webpage appears. After that, any subsequent webpage residing on that server or in the hierarchy of that page or hyperlinking makeup, is accessible without further logging in. Given the use of the Internet and webpages for accessing a subscriber's profile in the system and method of An et al., such a feature would again, have been obvious.

Also, many times, authentication and authorization are done using the same server. Interpreted in one way, this means than authentication and authorization can be considered to be one in the same for general purposes. Interpreted another way, authentication can be considered the act of verifying that someone is who they say or indicate they are, while authorization can be considered the act of giving that someone

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a privilege(s) upon verifying or authenticating their identity. Regardless, even in this sense, it is clear that authentication and authorization are intertwined if inseparably so. This is because there would be no purpose to authentication unless that information will be used for authorizing some privilege(s).

Lloyd et al. teaches an authentication, authorization, and accounting server 118. (Abstract, Fig. 2, Col. 1, line 10 – Col. 4, line 29 of Lloyd et al.) Although the server 118 is a single server, Fig. 1 shows that even at least on an object-level, authentication and authorization are separate elements or acts and therefore, it still would have been obvious for one of ordinary skill in the art at the time the invention was made to have used two separate servers. Motivations for doing so are because they can be considered to be two separate actions that deserve their own separate servers. However, because as operations, they are so intertwined, for the sake of saving resources or streamlining operations, they can be implemented in a single server as shown. Either is ample motivation for using either method – separate or together.

Also, note that an authorization service is inherently taught by at least Lloyd et al. because this system authorizes access. Whether this is separate or a part of a system, it still means it is a service.

Finally, interpreted in one manner, the term “services” as used in the claim can be read as a telephony feature, in which case, An et al. teaches accessing a plurality of features associated with any one service line the subscriber is subscribed to. (Col. 3, lines 1 – 19)

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Also, the limitation "one or more" means that the existence of only one telecommunications service is needed to reject the claim, which as discussed, An et al. teaches.

Interpreted in another manner, the term "service" could be read as the actual service line (conventional, wireless, etc.) associated with the above-discussed directory number. In this instance, An et al. does not teach using a single PIN to access multiple services. However, again, such is extremely old and well known and would have been obvious for one of ordinary skill in the art to implement in An et al. at the time the invention was made. For example, one need only insert his/her card into an ATM machine and after entering a PIN, that person is given access and use to his/her checking account, savings account, etc. This same feature is and was available even when ATMs were not used and people used telephones to access their account information. The same method was used except over a telephone.

Moreover, as discussed above, such a feature merely applies to user convenience and because An et al. already teaches that a subscriber may access all his/her accounts or services via one interface, albeit logging in each time using the appropriate DN, such a feature would merely require a further aggregation of accounts or services. This then is merely a question of level. At a lower level, the system of An et al. requests entry of a DN and a PIN. At another obvious, higher level, the system could ask for a userid and PIN, wherein because a userid is used, access to all that user's accounts or services is possible. Again, this is old and well known in the telephony as well as computer arts and the motivation for this is a user only has to be

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authorized only one time. This is convenient for both the user and the authenticating system because the systems resources are not as busy as it would be otherwise if it constantly had to authenticate users.

Finally, presenting feature profiles or lists to subscribers is notoriously old and well known in the art. For presentation clarity or to save on resources or space for example, a feature profile may be presented wherein only those features that a subscriber has subscribed to are displayed, presented, etc. Other times, all available features may be presented as a way to entice subscribers to subscribe to more features or simply the provider deems it easier to display all features. However, such a limitation is merely a user-friendly design choice that would have been obvious to one of ordinary skill in the art at the time the invention was made.

As to claim 2, An et al. does not teach mapping a user name to a distinguished name. Instead An et al. as discussed above, uses a user's directory number and PIN to identify that user. However, mapping names or other identifiers is also old and well known in the art and would merely be a design choice or preference for one of ordinary skill in the art at the time the invention was made. Such a feature again, would not affect the provisioning aspect of the invention. Note that An et al. does teach using a DN name mapper 134 (Fig, 13) for properly associating a subscriber with the correct service manager and specific address. (Col. 7, lines 33 – 48)

Also, a subscriber in An et al. may have more than one line, i.e., a landline, a wireless subscription, pager service, local and/or long distance service, etc., read as the claimed roles.

As to claims 3 and 4, such limitations merely address the programming level aspect of the invention, i.e., object-oriented languages that would implement the profile and validation aspects of the present invention. While An et al. describes the validation on a much higher level, such would also be obvious if not inherent in An et al. inasmuch as most of the programming languages or protocols used in tele/data communications in recent years have been object-oriented and are necessary to effect the operation in computer-based systems.

As to claim 9, see the above rejection of claim 1 and note that An et al. also teaches that besides merely displaying a subscriber's current feature profile to them, the subscriber is actually "logged in" as they are able to amend each feature on their current profile. (Figs. 5 – 12 and Col. 5, lines 35 – 48)

As to claim 10, see the rejection of claims 2 – 4 above, and note that the same is applicable as well to the actual service features inasmuch as An et al. teaches that each feature that a subscriber may subscribe to, may have parameters. An et al. also teaches that a subscriber may read about his services, or others that are available to him/her, as well as being able to get descriptions regarding the cost of services, or example. (Figs. 5 – 12 and Col. 6, line 39 – Col. 9, line 20)

As to claim 11, An et al. teaches the use of a subscriber service provisioning manager (SSPM) server 122, which includes an authentication server 136, the abovementioned DN name mapper, and a service manager adaptor 138. Such a server is read as the claimed selection gateway.

As to claim 14, see the rejection of claims 1 and 2.

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As to claim 15, see Col. 5, lines 6 – 48 and Figs. 5 – 6, wherein An et al. teaches that personalized web pages are displayed to a subscriber with only those features that they are presently subscribed to as well as those that they may subscribe to.

As to claims 16 - 18, see the rejection of claim 1.

3. Claims 5 – 8 and 19 – 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,031,904 (An et al.) in view of US 6,219,790 (Lloyd et al.), US 6,173,438 (Kodosky et al.), and further in view of US 6,622,016 (Sladek et al.)

As to claims 5 and 19 – 22, An et al. , Lloyd et al., and Kodosky et al. have been discussed above. What they do not teach are group subscriptions.

However, provisioning group preferences and profiles is old and well known as is group subscriptions, or subscribers who share the same preferences. Common examples of this are business groups within a corporation or family groups, etc. Such is taught by Sladek et al. wherein a system for controlled provisioning of telecommunications services is also applicable to a group of subscribers. (Abstract, Col. 2, lines 36 – 46, Col. 3, lines 8 - 21, Col. 17, lines 16 – 28 of Sladek et al.)

It would have been obvious for one of ordinary skill in the art at the time the invention was made to have allowed for groups inasmuch as they are old and well known and would only affect the relational aspect of subscribers. Instead of providing service to one subscriber, it would be to a group of subscribers, linked in some manner in the profile repository 18 of An et al.

Moreover, it is inherent that some administrator or head affect changes for the group and of course, as discussed above, would have to be validated as well. Even if all the members of a group could make changes to the group subscription, each of the members then could be considered administrators, because to be an administrator, one need only have the ability to administrate, in this example, over service features.

As to claim 6, see the rejection of claim 2 and note that such would be inherent or at the least, obvious to one of ordinary skill in the art at the time the invention was made. A group would merely be considered to be another subscriber, except, as discussed above, there would be some manner of linking the group members so that the feature profile for the group would affect all the members.

As to claims 7 and 8, see the rejection of claims 3 and 4.

Response to Arguments

4. Applicant's arguments filed 7/11/05 have been fully considered but they are not persuasive.

As to applicant's arguments regarding the alleged hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Moreover, authentication is notoriously old and well known in the telephony arts, whether for accessing one's personal profile/ telephony settings / etc. or whether for accessing information via a telephone such as checking a credit card account or for accessing contact information as in protected directory assistance. Because An et al. already implements at least some type of authorization and/or authentication for accessing a subscriber feature profile, the need is already present. Examiner argues that using authentication tokens are very old and well known in the art. As further evidence, see the cited prior art below that teaches various types of telephony and computer systems that employ authentication / authorization of user access to a system or to certain information using tokens.

Examiner's argument is not vague, but rather merely a simple one. Because such a feature or limitation is so old and well known to those of ordinary skill in the art, implementing authentication tokens, as discussed in the rejection, is merely one of a plurality of known techniques for authentication / authorization and could be easily integrated into a system already showing the need for authentication.

As to applicant's further arguments regarding authentication, again, the motivation is clearly present in An et al. simply because An et al. already teaches authentication means. It is merely a different way or technique of accomplishing authentication. Applicant seems to be making the argument that in order for a combination to be made between An et al. and a prior art reference applicant would accept is a prior art reference that teaches using authentication tokens to validate a user's right to modify services. Unfortunately, this argument confuses a 35 USC 102

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and a 35 USC 103 argument. If such a prior art reference were to be applied, no combination would be necessary. As it happens, examiner has chosen to validly make a 103 rejection. Again, authentication tokens are old and well known in the art as a technique for authorization and/or authentication. Therefore, using tokens instead of another authentication / authorization technique essentially becomes a design choice or preference.

As to applicant's arguments regarding redesign, none of applicant's arguments are relevant to, implicit in, or explicitly stated in the claims. Even if applicant's arguments were valid, examiner's interpretation of the claim language is valid and does not require the inclusion of all the limitations argued by applicant. For example, none of the claims recite "differentiated service" nor do any of the claims recite storing unused information in a privilege token.

As to applicant's argument regarding non-analogous art, as explained in the rejection and as discussed above, the technique of using authentication tokens can be implemented in any system needing authentication. The fact that Kodosky happened to be using authentication tokens in a different environment in this instance is irrelevant. An et al. teaches a telephony system, but of course that system, as are most telephony systems now, is comprised of computer / data processing elements just as in Kodosky.

As to applicant's arguments regarding the storing of privilege information in a token is inherent when tokens are used to represent or grant differing levels of access. Unless tokens are somehow distinguished from one another, those differing levels cannot be realized. And again, all the token is claimed as doing in the present invention

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is being associated with a user and ensuring that the particular user has sufficient rights to modify data. Kodosky teaches the exact same thing, regardless of whether a token can be passed on. The claims do not distinguish between a first and second user. Even Fig. 16 and Col. 20, lines 10 – 39 of Kodosky indicate differences in privileges between a token owner and a token non-owner.

As to applicant's arguments regarding the storage of data associated with a subscriber, how else does a subscriber's feature profile get created, modified, stored for an associated subscriber unless this happens. In ANY system that contains a subscriber profile, some data repository or directory or memory has such information. A person who subscribes to voice mail but not to callerID service in a normal PSTN / POTS system has such information stored in a repository. And of course, this type of data is indicative of privilege and service. Even An et al. alone, that teaches allowing a subscriber access to his/her profile means inherently that they must be identified as a person capable of accessing his/her data, i.e., their directory number or a PIN, reading on privilege information. Also, because An. Et al. teaches that the subscriber profile is used to associate / store service information for a subscriber, of course, there is service information. Finally, a directory repository is not a term of art and can be read merely to be any storage means.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6064990 (Goldsmith) teaches it is old and well known to use authentication tokens for preventing unauthorized access. US 6,324,271 (Sawyer et al.) teaches a system and method of call identification authentication. US 2002/0116396 (Somers et al.) teaches using access authorization token data having different levels of access stored on the token.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 571-272-7480. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hector A. Agdeppa
Examiner
Art Unit 2642

H.A.A.
September 30, 2005


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